REMARKS

Entry of this amendment is respectfully requested.

Claims 54-69, 73, 74, 76, 77, 88-91, 94-105, and 107-111 have been previously withdrawn in response to the restriction requirement dated March 6, 2007. Claims 70-72, 75, 78-87, 92, 93 and 106 were examined in the present Office Action.

Applicant's IDS, filed on May 25, 2006, was not considered by the Examiner for being non-compliant with 37 CFR 1.98. It is believed that these documents were submitted to the USPTO from WIPO during the International Phase and should be in the file. Nonetheless, the IDS will be revised in conformance with 37 CFR 1.98 and copies of the cited references will be provided upon resubmission of the IDS.

Claim 70 was objected to for being dependent upon withdrawn claim 54. It is believed that amendment to claim 70 obviates the objection.

It is also respectfully submitted that the 35 U. S. C. §112, first paragraph rejections of claims 70-72, 75, 78-87, 92, 93 and 106 do not apply to the currently amended claims, since none of the amended claims contains the language "fragment or derivative thereof".

Claims 70-72, 75, 78-87, 92, 93 and 106 were rejected under 35 U. S. C. §102(e) as allegedly being unpatentable over U.S. Patent No. 7,425,620 (Koenig) Applicants respectfully traverse.

Koenig discloses antibodies which can bind endogenously expressed FcγRIIb with higher affinity than FcγRIIa. Antibodies set forth in Koenig, however, block the IgG binding site of FcγRIIb and thus block the binding of IgG to FcγRIIb. For example, please see col. 10, lines 18-27.

In contrast, the present invention for the first time provides antibodies that are capable of distinguishing between FcγRIIb and FcγRIIa and specifically bind to a CDE of Fc FcγRIIb without blocking the IgG binding site of FcγRIIb. For example, please see currently amended claim 75 (An antibody "does not interfere with immune complex binding to FcγRIIb or FcγRIIa"). Please also refer to the disclosure in the description on page 13, 2nd paragraph ("the specific anti-FcγRIIb (or anti- FcγRIIa) antibodies are non-blocking and recognize an epitope distinct from the Fc-receptor-fragment interaction site..."). The "non-blocking" antibodies retain the specificity to FcγRIIb without compromising the binding of the receptor to immune complexes. As a result, the activation of the receptors by immune complexes remains intact and additional receptors can be recruited to enhance the activation. The antibodies described in Koenig, to the contrary, do not possess this distinct "non-blocking" feature.

To sustain an anticipation rejection, the cited reference must encompass every limitation set forth in the instant invention. As Koenig neither mentions nor teaches "non-blocking" character discussed above, this rejection of claims 71, 72, 75, 78-87, 92, 93 and 106 must be withdrawn.

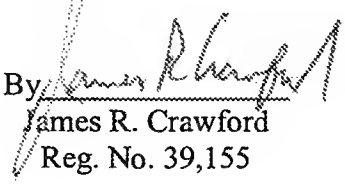
It is also respectfully submitted that the Examiner's 102(e) rejection does not apply to claim 70, since the only reference cited by the Examiner, Koenig et al, only discloses antibodies, which are not recited in claim 70, and this rejection must be withdrawn.

In view of the foregoing, allowance is respectfully requested.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0624, under Order No. NY-HUBR-1295-US.

Respectfully submitted

FULBRIGHT & JAWORSKI L.L.P.

By 
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